TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE Transcriber's Office

February 22, 1999 LB 612

all of us recognize that there is a debate going on here because when two people separate they obviously don't like one another and so each one tries to outdo the other one in many instances. And, of course, it's in the court's decision to try to decide what's fair and what's not fair. Now I think in the letters that I've gotten, as has been illustrated here by other speakers, there seems to be some unfairness in...particularly when there's a downturn in income and when they're talking about people in...self-employed. When their income turns down, it seems like, least in the cases that I've been able...that I've been made aware of, it seems like there's a difficult time in order to get the court to recognize that there is not sufficient funds to pay the amount of child support that was originally asked for in the original settlement. And everybody I think would agree then when it's...when the person has a downturn in income and they're suffering financially, that obviously the kids shouldn't have to suffer but they shouldn't also be able to live at the level maybe that they were accustomed to, based on the...on the original agreement. Those are the kinds of letters that we get, I'm sure many of you get, as I do, from people who are very dissatisfied with the way the court has treated them in these kind of instances, and there's not much they can do about If the court continues to say that this is what you owe, this is what you agreed to and you're going to have to pay it, when they don't have the money and they have to suffering (sic) and, as indicated by Senator Baker, that they end up actually filing bankruptcy or, like Senator Dierks, move to another country, then what it comes down to is the kids are going to suffer even more. So I... I guess it looks to me like we need to come to some kind of a decision on how we can best treat these young people who are a ward of their spouse or one of the spouses and still be fair to both sides. And that seemed to be the difficult issue. I can understand Senator Baker's bill, but I will go back and say, as I think everybody that's spoken has said, that Senator Crosby's piece of legislation certainly is needed and I appreciate her bringing it and hopefully we can come to some kind of a final...finalization on this whole issue. I'm going to listen to the rest of the debate. I haven't made up my mind. I have sympathy on both sides. Certainly I'm not children being able to...being provided for opposed to adequately, but at the same time it...there are when...when times change and incomes change and we need to